

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

) CRIMINAL NO. 1:11-CR-096

)

v.

) (Judge Conner)

)

MICHAEL STRAUSBAUGH, and
REBECCA STRAUSBAUGH

)

)

FILED
HARRISBURG

MAY 4 - 2011

MARY E. D'ANDREA, CLERK
Per ~~DEPUTY CLERK~~

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT I

(Sexual Exploitation of a Child)

On or about December 28, 2010, in the Middle District of Pennsylvania, the
defendants,

**MICHAEL STRAUSBAUGH and
REBECCA STRAUSBAUGH,**

aided and abetted by each other, did knowingly employ and use and conspired to
knowingly employ and use AH, a minor girl less than one year old, to engage in
sexually explicit conduct for the purpose of producing any visual depiction of such
conduct, which visual depiction was produced using materials that had been
mailed, shipped, and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and (e)
and 2.

THE GRAND JURY FURTHER CHARGES:

COUNT II

(Distribution of Child Pornography)

On or about February 5, 2011, within the Middle District of Pennsylvania,
the defendant,

MICHAEL STRAUSBAUGH,

knowingly distributed, any visual depiction, using any means or facility of
interstate or foreign commerce and the production of such visual depiction
involved the use of a minor engaging in sexually explicit conduct and the visual
depiction is of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2) and (b).

THE GRAND JURY FURTHER CHARGES:

COUNT III

(Possession of Child Pornography)

On or before December 28, 2010 through March 18, 2011, within the
Middle District of Pennsylvania, the defendant,

MICHAEL STRAUSBAUGH,

did knowingly possess and cause to be possessed photographs and other material
containing visual images and depictions of child pornography, that is, visual
depictions of minors engaging in sexually explicit conduct, including graphic and

lascivious exhibition of the genitals and genital-genital contact. These visual depictions contained materials which had been mailed, shipped and transported by any means in interstate and foreign commerce, including by computer and that had been produced using materials that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, §§2252A(a)(5)(B).

THE GRAND JURY FURTHER CHARGES:

COUNT IV
(Sexual Exploitation of a Child)

On or about December 3, 2010, in the Middle District of Pennsylvania, the defendants,

**MICHAEL STRAUSBAUGH and
REBECCA STRAUSBAUGH,**

aided and abetted by each other, did knowingly employ and use and conspired to knowingly employ and use AH, a minor girl less than one year old, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and (e) and 2.

THE GRAND JURY FURTHER CHARGES:

COUNT V
(Sexual Exploitation of a Child)

On or about August 21, 2010, in the Middle District of Pennsylvania, the
defendants,

**MICHAEL STRAUSBAUGH and
REBECCA STRAUSBAUGH,**

aided and abetted by each other, did knowingly employ and use and conspired to
knowingly employ and use AH, a minor girl less than one year old, to engage in
sexually explicit conduct for the purpose of producing any visual depiction of such
conduct, which visual depiction was produced using materials that had been
mailed, shipped, and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and (e)
and 2.

FORFEITURE ALLEGATION
(Criminal Forfeiture - 18 U.S.C. § 2253)

1. The allegations contained in Counts I through V of this Superseding
Indictment are hereby realleged and incorporated by reference for the purpose of
alleging forfeitures pursuant to Title 18, United States Code, Section 2253.

2. Pursuant to Title 18, United States Code, Section 2253, upon
conviction of an offense in violation of Title 18, United States Code, Section

2251, the defendants, Michael Strausbaugh and Rebecca Strausbaugh, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses.

The property to be forfeited includes, but is not limited to, the following:
All those lots or parcels of land, together with their buildings, appurtenances, improvements, fixtures, attachments and easements, located at 1946 East Berlin Road, New Oxford, Adams County, Pennsylvania.

3. If any of the property described above, as a result of any act or omission of the defendant[s]:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

A TRUE BILL

Peter J. Smith

PETER J. SMITH *aps*
United States Attorney




